

REMARKS

This is a complete response to the outstanding non-final Office Action mailed December 1, 2004. Claim 14 has been amended herein. No new matter has been added. Applicant has amended claim 14 to correct a typographical error. Upon entry of the enclosed claim amendments, claims 1-14 remain pending in the present application.

The Applicant traverses all of the rejections of the Office Action. Applicant appreciates the Examiner's review of the above-identified patent application and respectfully requests reconsideration and allowance in view of the above amendments and following remarks.

I. Response to claim rejections based on obviousness

In the Office Action, claim 1 has been preliminarily rejected as obvious under 35 U.S.C. § 103. Specifically, claim 1 has been rejected under 35 U.S.C. § 103 by U.S. Patent No. 6,785,370 to Glowny et al. (hereinafter, "Glowny") in view of U.S. Patent No. 6,744,877 to Edwards (hereinafter, "Edwards").

A. Claim 1

Independent claim 1 reads:

A system for **propagating exclusion records between a plurality of distributed call centers**, each of said plurality of distributed call centers including a computer telephony integration (CTI) system having a dynamic data record exclusion system, said dynamic data record exclusion system having at least one exclusion table, said plurality of distributed call centers linked over a computer network, said system comprising:

an exclusion record exporter and an exclusion record importer interfacing each said **dynamic data record exclusion system for transferring exclusion records between said distributed call centers**.

(Emphasis Added)

The Applicant respectfully submits that the references Glowny in view of Edwards fail to disclose, teach, or suggest all elements of the rejected claim for at least the reasons that follow. Specifically, Glowny in view of Edwards fails to disclose the above-emphasized elements of claim 1. Neither Glowny nor Edwards disclose, teach, or suggest propagating exclusion records between a plurality of distributed call centers as recited in Applicant's claim one. The Examiner acknowledges that Glowney does not disclose a system capable of dynamically transferring an exclusion record between said plurality of distributed call centers (Page 2, section 2 of the Office Action dated 12/01/04).

Edwards does not cure this defect. Edwards discloses

transferring a workpacket to a workstation. Edwards defines a workpacket as a container with a caller and caller information represents a transaction in progress. Edwards transfers the workpackets to allow agents to answer calls of customers. This does not correlate to transferring exclusion records. Neither Glowny nor Edwards disclose an exclusion record exporter or an exclusion record importer for transferring exclusion records between said distributed call centers. Glowny discloses removing audio-recorded segments when a costumer does not wish to participate. But Glowny does not disclose or suggest distributing the audio recorded segment removal process to other call centers. The removal process of Glowny does not relate to transferring calls as disclosed in Edwards.

The Examiner is using hindsight based on Applicant's application. The Federal Circuit has repeatedly warned against using the Applicant's disclosure as a blueprint to reconstruct the claimed invention out of isolated teachings in the prior art. See, e.g., *Grain Processing Corp. v. American Maize-Products*, 840 F.2d 902, 907, 5 USPQ2d 1788, 1792 (Fed. Cir. 1988). The black letter law statements by Judge Linn in *In re Kotzab*, 217 F.3d 1365, 55 USPQ2d 1313 (Fed. Cir. 2000).

The Examiner does not address the complexities of transferring exclusion records relative to transferring calls. Applicant claim 1 recites an exclusion record exporter and an exclusion record importer for transferring exclusion records between said distributed call centers. Edwards does not provide the teachings nor relate to transferring exclusion records between call centers. Applicant respectfully requests reconsideration and withdrawal of the claim rejection.

B. Claims 2-13

The Applicant respectfully submits that since claims 2-13 depend on independent claim 1, claims 2-13 contain all limitations of independent claim 1. Since independent claim 1 should be allowed, as argued herein, pending dependent claims 2-13 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q.2d 1596, 1608 (Fed. Cir. 1988).

II. Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 1-14 are in condition for allowance. Favorable reconsideration and allowance of the present application and the presently pending claims are hereby courteously requested. The examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

Respectfully submitted,

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